

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-against-

JOEY LANTIGUA,

Defendant.

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DEARIE, District Judge.

MEMORANDUM & ORDER

06 CR 458 (RJD)

By letter dated October 4, 2012, the defendant asks this Court to relax conditions of his supervised release to facilitate his travel to the Dominican Republic to visit his children. Given Mr. Lantigua's history while on supervision, the Court invited the Probation Department to provide a status report and recommendation, which was submitted on January 3, 2013.

As an initial matter, the defendant's specific request to permit Probation to authorize his travel independent of the Court is contrary to wise and well-established probation policy and would constitute an inappropriate delegation of judicial responsibility. Further, although the Court is sympathetic to Mr. Lantigua's desire to visit his family, given his history of non-compliance as outlined in Probation's January 3, 2013 Status Report, travel of any kind that might undermine therapeutic efforts is ill advised, and will not ordinarily be authorized.

In the future, Mr. Lantigua should understand that any requests will not be considered absent strict compliance with the conditions of release.

SO ORDERED.

Dated: Brooklyn, New York
January 9, 2013

/s/ Judge Raymond J. Dearie

RAYMOND J. DEARIE
United States District Judge